

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:19-CV-00441-FL

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
)
v.)
)
)
ABHISHEK KRISHNAN'S REAL)
AND PERSONAL PROPERTY,)
)
)
Defendants.)

CONSENT ORDER

By signing below, the undersigned parties have informed the Court of the following:

1. The United States of America (the “United States” or the “Government”) is the plaintiff in the above-styled civil forfeiture action.
2. As part of this action, the United States sought the forfeiture of \$1,441,813.42 formerly held in TD Ameritrade Account *3860 (the “TD Ameritrade Account”). These funds are currently in the custody of the United States pursuant to the execution of a federal seizure warrant.
3. The United States sent the requisite notice of the complaint and associated warrant to identified potential claimants, including Abhishek Krishnan and his company, US Trade and Exchange, LLC (collectively, “Claimants”), and published notice on an official internet government site as required by the

Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture (the “Supplemental Rules”).

4. On December 2, 2019, Claimants filed claims to the funds formerly held in the TD Ameritrade Account.

5. By order dated June 29, 2020, the Court struck Claimants’ claims with respect to \$500,000.00 of the funds formerly held in the TD Ameritrade Account and stayed the civil-forfeiture action pending the conclusion of proceedings in a related criminal case. Accordingly, at this time, Krishnan and US Trade and Exchange, LLC remain claimants in the above-styled civil forfeiture action only with respect to \$941,813.42 in funds formerly held in the TD Ameritrade Account (the “Disputed TD Ameritrade Funds”).

6. No further verified claims or answers to the Complaint have been filed with respect to the Disputed TD Ameritrade Funds in the above-styled civil-forfeiture action within the time prescribed by law, and all parties who claim an interest in the Disputed TD Ameritrade Funds have consented to the entry of this Order.

7. As part of the Court’s June 29, 2020 Order, the Court granted Claimants’ motion to stay this matter pending criminal proceedings and entered a partial stay of this matter with respect to the Disputed TD Ameritrade Funds.

8. To avoid the delay, uncertainty, inconvenience, and expense of protracted litigation, the United States and Claimants have reached a settlement of this matter, including the terms set forth below, and have duly authorized the signatories below to consent to these terms on their behalf. The Parties recognize,

and by entry of this Order, the Court finds that this Order is fair, reasonable, and in the public interest.

In view of the foregoing, it is ORDERED as follows:

ORDER

1. Based upon the request and consent of the Parties, the stay of this matter with respect to the Disputed TD Ameritrade Funds is hereby lifted.

2. Claimants shall forfeit to the United States of America the entirety of the Disputed TD Ameritrade Funds in the amount of \$941,813.42, to be disposed of by the United States Department of Justice according to law.

3. Each party shall bear its own attorneys' fees, costs, and expenses in this matter.

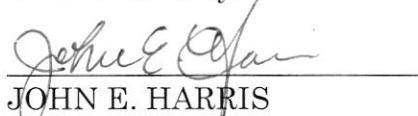
4. As this order constitutes a final judgment with respect to less than all defendants in this matter, in accordance with Rule 54(b) of the Federal Rules of Civil Procedure, the Court finds that entering such judgment at this time is appropriate and there is no just reason for delay.

SO ORDERED this 12th day of February, 2020.



LOUISE W. FLANAGAN
United States District Judge

Consented to by:



JOHN E. HARRIS
Attorney for United States of America



ELLIOT S. ABRAMS
Attorney for Claimants